

Beaver County  
Beaver, UT 84713  
April 7, 2003

The Board of County Commissioners met on April 7, 2003 at 10:00 a.m for its regularly scheduled meeting. Those present were William L. Dalton, Chairman; Mark S. Whitney, Member; Patrick R. Yardley, Member; Bryan L. Harris, Commission Assistant; Von J. Christiansen, Attorney; and Paul B. Barton, Clerk/Auditor.

Minutes of the March 3 and 17, 2003 meetings were read. It was moved by Comm. Whitney, seconded by Comm. Yardley and unanimously passed to approve the minutes.

Mark Nelson, Extension Agent, met with the Board to introduce the new Home Agent. Her name is Pearl Philipps. The Board welcomed Mrs. Philipps. She stated that she is happy to be working in the County.

Mike Ottenbacher and Jim Whelan, from Division of Wildlife, met with the Board to explain fishery projects in the county. There are two projects the Division is looking at in the county, treating and restocking North Creek with Bonneville Cutthroat Trout and Kents Lake with rainbow trout.

LeeAnn Carter, County Treasurer, met with the Board to discuss an issue related to the May Tax Sale. There is a state leased parcel that has personal property tax attached to it. It was moved by Comm. Whitney, seconded by Comm. Yardley and unanimously approved to pull parcels 7-700-100 and 2-23-7 from the tax sale and pursue collection either through seizure or civil judgement.

Mr. Christiansen discussed the proposed agreement for a refund of property tax revenue to the Intermountain Power Agency. It was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously approved to sign the agreement.

Applicants for appointment to Service District #5 were reviewed. Keith James, Jolyn Leko and Scott Wiseman were considered. The Board felt that all three were excellent applicants. Ms. Leko's name was drawn by lot. It was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously approved to adopt Resolution No. 2003-06 and appoint Jolyn Leko to a term to expire on December 31, 2005.

It was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously approved to adopt Resolution No. 2003-05 appointing Kenneth Puchlik to the Elk Meadows Service District Board.

It was moved by Comm. Whitney, seconded by Comm. Yardley and unanimously approved to authorize the Chairman to sign the agreement with Personnel Systems for a personnel study in the amount of \$7,125.00.

It was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously approved to authorize the Chairman to sign the sales contract with Crown Asphalt for road oil for the 2003 maintenance of roads.

A request for abatement of property taxes for Veda Cox was discussed. The property is on the list to be sold at the 2003 May Tax Sale and is the home of Ms. Cox. It was moved by Comm. Whitney, seconded by Comm. Yardley and unanimously approved to grant an indigent abatement, waive penalties and interest, pull it from the tax sale and work out a payment schedule on the remaining balance for parcel #5-17-1.

April McKeon, representing Milford City, met with the Board to discuss the development of the Milford City Water Park. This park will be a cooperative effort between the County, City and Circle Four Farms. Ms. McKeon explained the proposed plan. Mr. Christiansen will develop an interlocal agreement for the Board's consideration.

It was moved by Comm. Whitney, seconded by Comm. Yardley, and unanimously approved to adopt Resolution No. 2003-04 for the County-Wide Funding of the Continued Operation of a 911

Emergency Telephone System .... and Interlocal Agreements with Beaver City, Minersville City and Milford City.

It was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously approved to adopt Ordinance No. 2003-01 - An Ordinance Providing for the County-Wide Funding of a 911 Emergency Telephone System.....

The agreement on phone service with Qwest was reviewed. The CentrexPlus contract has expired and is no longer available. Maureen Verhaeren met with the board to explain the proposed CentrexPrime contract and the existing centrex phone system features. Ms. Verhaeren recommended that the board adopt the proposed contract for a 60 month term.

#### Zoning Hearing - 2:00 P.M.

A public hearing was opened for comment at 2:00 p.m. on the rezonement petition of Meadow Lakes. Craig Davis, Zoning Administrator, was present. The hearing was closed for comment at 2:10 p.m. The Planning Commission unanimously recommended the zone change back to A-20. It was moved by Comm. Whitney to approve the change and adopt Ordinance No. 2003-03. The chair was passed to Comm. Whitney and Comm. Dalton seconded the motion. The chair was passed back to Comm. Dalton. Comm. Whitney and Comm. Dalton voted in favor of the motion and Comm. Yardley abstained. Comm. Yardley has a contractual arrangement on part of the ground and declared a conflict.

Kary Monroe, from Jones & DeMille Engineering, met with the Board to discuss the M&M Road Project. Mr. Monroe explained the project, budgets, etc. Comm. Dalton and Mr. Harris will attend the Joint Highway Committee meeting on April 22, 2003 in St. George with Mr. Monroe.

A public hearing was opened for comment at 3:00 p.m. to accept comment on the issuance of industrial revenue bonds on behalf of Best Bio Fuels. Those present were Brian Mauldwin, Warren Peterson, Leann Hepworth, Sam Cox, Max Limb, Clair Lee, Brent Stapley, Ursula Carstensen, Craig Carstensen, Marian Christensen and Betty Miller. Mr. Christensen reviewed the applicable statute and explained the process. Mr. Cox expressed concern about liability for the county and asked where the methanol will be stored. Mr. Carstensen asked whether the methanol is a gas or a liquid. Mr. Mauldwin stated that it is a liquid, it is flammable, but it is not explosive like gasoline. Ms. Christensen stated that she did not feel that government should subsidize private business. Mr. Peterson stated that this is the process set up by Congress in order to get tax-exempt financing to promote the public good. Mr. Peterson stated that Best Bio Fuels will be paying all administrative costs involved in the issuance of the bonds. The hearing was closed for comment at 3:30 p.m. It was moved by Comm. Whitney and seconded by Comm. Yardley to adopt Resolution No. 2003-05 - A Resolution Authorizing the Issuance and Sale by Beaver County, Utah of not to exceed \$18,000,000 aggregate principal amount Environmental Facility Revenue Bonds (Best Biofuel, LLC Project) Series 2003A etc. All voted in favor of the motion.

Mr. Christensen reviewed a legal opinion on donations made by the County to other entities. When making a donation, the County must receive fair value in goods and services.

Guyla Curtis and Kimberlee Morrison met with the Board to request use of the fairgrounds arena for children's riding club activities. Ms. Morrison presented a sample liability waiver form. Mr. Barton will consult with the County's insurance carrier on possible changes to the form to meet the County's needs.

Craig Davis met with the Board to discuss the operation of the Minersville Lake Park. Comm. Whitney will contact the State of Utah for funding to operate the park.

Bills on file were approved for payment.

There being no further business, the meeting was adjourned.

APPROVED \_\_\_\_\_  
Chairman

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Clerk/Auditor

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Beaver County  
Beaver, UT 84713  
April 21, 2003

The Board of County Commissioners met on April 21, 2003 at 10:00 a.m. for its regularly scheduled work meeting. Those present were William L. Dalton, Chairman; Mark S. Whitney, Member; Patrick R. Yardley, Member; Von J. Christiansen, Attorney; Bryan L. Harris, Commission Assistant; and Paul B. Barton, Clerk/Auditor.

Mr. Harris discussed a Resource Management Plan meeting with the Governor. The meeting will be held on April 30, 2003 at 10:00 a.m. at the Governor's office. Comm. Whitney and Mr. Harris will attend on behalf of the County.

LeeAnn Carter, County Treasurer, met with the Board to discuss a possible change in the method of collection of the transient room tax. Comm. Whitney will find additional information on the issue.

Mr. Harris reviewed a memorandum of understanding on the RS-2477 roads. The lawsuit between the Counties and the Bureau of Land Management has been tentatively settled.

Mr. Harris reviewed a settlement document on wilderness in the County.

Mr. Harris reviewed his work on controlling the mormon cricket. The County will be cooperating with the State and Federal Government Agencies on spraying. The County is having at least one county employee spreading bait in the known infested areas.

Scott Hacking and Rod Coslett, from Southwest District Health; and Craig Davis, Zoning Administrator, met with the Board to discuss regulations on subdivision water systems. Mr. Davis will prepare a draft change to the subdivision ordinance for the Planning Commission's review.

A request for a donation to Boy's and Girl's State was discussed. It was moved by Comm. Yardley, seconded by Comm. Whitney and unanimously approved to donate \$100.00 per person on the condition that all individuals receiving the donation agree to donate 8 hours of service to the County Fair or other county sponsored activity.

Mr. Christiansen reviewed procedures for approving Commissioners expenses. The expenses need to be itemized and have approval of the County Attorney.

Doug Erickson, Road Supervisor, met with the Board to discuss Road Department activities. No action was taken.

There being no further business, the meeting was adjourned.

APPROVED \_\_\_\_\_  
Chairman

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Clerk/Auditor

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